Important information for UC employees about an AFSCME strike

AFSCME, the union representing UC patient care and service employees, has announced it will ask its members to strike at UC medical centers and campuses Nov. 20, 2013. CNA, which represents UC nurses, has announced it will strike in sympathy. It is very important that AFSCME- and CNA-represented employees understand the implications of a strike, and make an informed choice about whether to support a strike.

AFSCME's call for a strike
Q. Why has AFSCME called this strike?
A. AFSCME has announced that it plans to strike in connection with an unfair labor practice charge that it has filed with the state Public Employment Relations Board. AFSCME claims UC intimidated employees during the May strike when supervisors asked certain employees if they were planning to come to work on the strike days. It is important to understand that UC vigorously disputes the allegations, and PERB has not issued a ruling yet. PERB will hold a hearing March 17-21, 2014 to determine if the complaint is valid.

Q. What is UC's position on AFSCME's unfair labor practice charge?
A. UC does not intimidate or threaten employees. The fact is that UC asked AFSCME-represented employees if they planned to come to work during the May strike, which is a legally permissible and normal procedure, so we could adjust staffing as needed and ensure we could still take care of our patients during the strike.

Impacts of a strike on patient care
Q. Will a strike impact patients?
A. There is no question a strike will impact patients. UC will do its utmost to continue to provide care and services to patients who are most in need. However, when a union threatens to strike our medical centers, UC must begin to take steps such as suspending services in areas where patient needs are less acute. The hospitals may also decrease patient levels prior to the strike and then gradually increase them back to normal after the strike. This could mean suspending critical and elective patient care for about two weeks and reducing staff in those units with reduced patient levels. Patient referrals from outlying communities may be lost, damaging the public trust in our medical facilities. Critical trauma patients may need to be
diverted to non-level I facilities, potentially reducing their quality of patient care.

**Coming to work during a strike**

**Q. My manager asked me if I plan to work my scheduled shift on Nov. 20. Do I have to answer?**

A. Employees are free to decide whether or not to answer this question. The reason we are asking if you will work your Nov. 20 shift is because we are committed to ensuring patient care and safety during a strike, and need to prepare accordingly.

**Q. If I don't answer or if I say I don't plan to work during the strike, will I be penalized?**

A. No. You can be assured there will be no retaliation for how you answer or if you decide not to.

**Q. Will UC inform my union about whether I plan to work on Nov. 20?** A. No. Employee responses will not be shared with the unions.

**Q. Will AFSCME- or CNA-represented employees be barred from coming to work during a strike?** A. No. Under the law, you're free to cross a picket line and come to work.

**Q. If I'm in the union, am I obligated to strike?** Can the union penalize me for not striking?

A. No employee is ever obligated to strike. Unions are legally prohibited from threatening or coercing members in other ways to keep them from coming to work. Some unions can fine dues-paying members (but not nonmembers) for working during a strike. A union member who does not want to strike may contact her/his union to confirm there will not be fines. UC won't deduct fines from employees' paychecks.

**Q. What if I want to work but I'm being blocked or confronted by picketers or striking workers?**

A. UC will assist employees who want to work by providing security or transportation across picket lines. Non-striking employees should avoid confrontations and should not invite or engage in any exchanges, which might inflame the situation. If an employee feels s/he is being harassed or prevented from working by picketers or striking employees, the employee should notify their supervisor or campus labor relations office immediately.

**Contract negotiations – key issues**

**Q. Why isn't there a contract yet?**

A. Despite UC’s best efforts, the university and the union remain far apart on key issues. We believe we have been fair and reasonable in these negotiations, offering multi-year wage increases, affordable healthcare, quality retirement benefits and good working conditions. As recently as this month, we showed significant flexibility and movement on issues the union said are important to its members, and offered multiple revised comprehensive packages that were responsive to the union's concerns. We are very disappointed AFSCME has not shown the same flexibility. What AFSCME leadership is demanding is more than what other UC employees — both unionized and non-unionized staff receive. It takes two parties to reach a contract. UC is willing to compromise, but AFSCME needs to reciprocate.

**Q. Is UC refusing to negotiate with AFSCME?**

A. No. In fact, UC invited AFSCME back to the table as recently as Nov. 4, 6 and 7, 2013 in a good-
faith effort to work through our differences. During this three-day session, UC presented comprehensive proposals that demonstrate significant flexibility and movement on key issues. AFSCME rejected them. The university remains ready and willing to meet with AFSCME, but we need AFSCME to collaborate with us and engage in a meaningful way.

Q. What is UC currently offering patient care employees and service employees?
A. UC has proposed several packages that include significant movement on key issues raised by the union. These packages include multi-year wage increases, and also address affordable health and retirement benefits. AFSCME rejected these offers.

UC is willing to show additional flexibility, but any agreement must be fair and financially sustainable. The university has experienced significant cuts in state funding over the past several years, and we must make sure that agreements with our unions fit within our budget and preserve the quality of UC.

**Impacts of striking on employee pay, benefits and/or work**

Q. If I come to work during a strike, what pay and benefits will I receive?
A. If you come to work, you will receive the same pay and benefits as you normally do.

Q. If I strike, will I lose pay and benefits?
A. You will not be paid for time lost due to participating in a strike. Benefits that are affected by the percentage of time worked during the month may be affected.

Q. Will I lose pay if I'm simply absent from work during the strike?
A. If any employee does not report to work as assigned, UC will presume — absent prior authorization or medical certification — that her/his work absence during a strike period is strike related. Employees who are absent from work without authorization during a strike will not be paid for the absence. As is always the case, authorization for an absence from work (e.g., vacation leave or compensatory time) may or may not be granted, depending on operational necessity and without regard to the employee's reason for the requested leave.